Article 1: Purpose of this Organic Law
This Organic Law determines conditions of acquisition, retention, enjoyment and deprivation of Rwandan nationality.

Article 2: Definitions
In this Organic Law, the following terms shall have the following meanings:
1° “State”: State of Rwanda;

2° “Rwandan national”: anyone who holds Rwandan nationality under the provisions of this Organic Law or whoever acquired it under earlier laws on Rwandan nationality;

3° “Presidential Order”: Presidential Order establishing procedures for the application and granting of Rwandan nationality;

4° “Directorate General”: Agency responsible for Immigration and Emigration;

5° “Director General”: Head of Immigration and Emigration Agency;

6° “Foreigner”: anyone who does not hold Rwandan nationality;

7° “Stateless person”: anyone without a State as described in the United Nations Convention of 28/9/1954 on stateless persons;

8° “Parent”: biological or adoptive father or mother of a child;

Article 3: Dual nationality
Dual nationality shall be permitted.

Article 4: Majority age
Under this Organic Law, majority age shall be eighteen (18) years of age.

Article 5: Rights and obligations of a person who has been granted nationality
Without prejudice to the Constitution as well as other specific laws, any person who has been granted Rwandan nationality as provided for by the law shall, from the time it has been granted to him/her, enjoy the rights and duties of a Rwandan.

Title 2. RWANDAN NATIONALITY BY PARENTAL DESCENT

Article 6: Rwandan parental descent
Shall be Rwandan any person whose one of the parents is Rwandan.

Article 7: Rwandan parental descent as a condition of granting nationality
Parental descent shall be taken into consideration in matters of granting nationality only where it has been provided for by the laws in force in Rwanda. Conditions for determining whether a person is of Rwandan parental descent shall be provided for by Presidential Order.
Title 3. ACQUIRED RWANDAN NATIONALITY

Chapter 1. RWANDAN NATIONALITY BY BIRTH IN RWANDA

Article 8:  Foreigner born in Rwanda whose parents are known.
Any foreigner born on Rwandan territory from alien parents residing in Rwanda may, from the age of eighteen (18), acquire Rwandan nationality provided he or she applies for it to the Director General. The relevant procedures for the application and granting of Rwandan nationality shall be provided for by Presidential Order.

Article 9:  Child born in Rwanda whose parents are unknown.
Any child born in Rwanda from unknown or stateless parents or who cannot acquire the nationality of one of his or her parents shall be Rwandan.

New born baby found on the Rwandan territory shall be considered as born in Rwanda in case of lack of proof to the contrary.

Article 10: Territory of Rwanda
Rwandan territory shall mean such areas of land, rivers, lakes and airspace within the borders of the Republic of Rwanda.

In determining Rwandan territory, consideration shall be given to Rwanda’s boundaries as indicated by international treaties ratified by Rwanda and Rwandan laws.

Chapter 2. RWANDAN NATIONALITY BY MARRIAGE

Article 11:  Marriage with a Rwandan
Any foreigner or stateless person married to a Rwandan may acquire Rwandan nationality after three (3) years from the date of marriage upon application to the Director General and provided that he/she has continued living with his/her spouse until the date of the application. Modalities for application and acquisition are determined by a Presidential Order. Marriage however cannot guarantee Rwandan nationality if it has not been registered in a Rwandan Registry of civil status.

Dissolution of marriage after the acquisition of Rwandan nationality cannot have adverse effect on the nationality acquired in good faith by the spouse and the children born of that marriage.

Chapter 3. RWANDAN NATIONALITY BY ADOPTION
Article 12: Adoption by a Rwandan
Shall automatically become Rwandan any child who has foreign nationality or who is stateless, who has not yet attained majority age or who has never been emancipated if he/she is adopted by a Rwandan.

Chapter 4. RWANDAN NATIONALITY BY NATURALIZATION

Article 13: Naturalization
Rwandan nationality by naturalization shall be applied for to and granted by the Director General. Modalities for applying for and being granted the Rwandan nationality shall be determined by Presidential Order.

Article 14: Conditions relating to naturalization.
Any foreigner applying for the Rwandan nationality by naturalization shall have to fulfil the following conditions:

1° to be at least eighteen (18) years old and a legal resident of Rwanda for at least past five (5) years at the time of submission of his/her application, including the time spent abroad either on official mission or on studies with the direct or indirect permission from the Rwandan authorities;

2° to be the owner of sustainable activities in Rwanda;

3° to be of good behaviour and morals and not to have been definitively convicted to an imprisonment sentence of six (6) months or more without suspension or rehabilitation;

4° to respect Rwandan culture and to be patriotic;

5° not to have been subject to a non cancelled decision of being expelled from the Rwandan territory;

6° not to be characterized by the genocide ideology;

7° not to be a burden to the State and to the people;

Article 15: Publicising the person who request for the nationality
The Directorate General shall make public the name of the person who requested for the nationality for possible comments. Modalities for so doing shall be provided for by a Presidential Order.

Article 16: Facilitating the process of acquiring the nationality for a foreigner in the interest of Rwanda
Without prejudice to the provisions of points 3°, 4°, 5° 6° and 7° of paragraph one of article 14, a foreigner who is of interest to Rwanda may be facilitated in the acquisition of the Rwandan nationality.
**Article 17:** Nationality arising from birth to naturalized parents
A minor who is not emancipated shall automatically be Rwandan like his/her parents if his/her birth is legally recognized in Rwanda and his/her father or mother has acquired Rwandan nationality.

**Title 4. RENOUNCING RWANDAN NATIONALITY**

**Article 18:** Renouncing nationality
A person with majority age having any other nationality or wishing to acquire the nationality of another country and who wishes to renounce Rwandan nationality, shall inform the Director General according to procedures determined by a Presidential Order.

Renouncing Rwandan nationality should not compromise the laws of Rwanda, and renouncing it with the intention of seeking refugee status or being stateless in Rwanda shall not be permitted.

**Title 5. DEPRIVATION OF RWANDAN NATIONALITY**

**Article 19:** Deprivation of nationality
No person shall be deprived of Rwandan nationality of origin.

A person may be deprived of the acquired Rwandan nationality if:

1° he/she acquired or recovered Rwandan nationality in accordance with the law but through manoeuvres, false statement, falsified or erroneous documents, fraud, corruption of one among those who had a role in the relevant procedures or any other fraudulent act;

2° he/she applied for and was granted Rwandan nationality with the intention of betraying the country; With exception of provisions of point 1° of paragraph two of this Article, the deprivation of nationality may not be declared if it may cause statelessness to the applicant.

**Article 20:** Procedures relating to deprivation of nationality
Deprivation of Rwandan nationality shall be prosecuted, where there are sufficient grounds, by the Prosecution in a competent court of the defendant’s domicile or residence. The decision shall be made in a period not exceeding three (3) months from the day the case is presented.

Both the Prosecution and the defendant shall have the right to appeal through procedures provided for by laws.

Where the case of deprivation of nationality is finally determined, the relevant decisions shall be published in the Official Gazette of Republic of Rwanda upon request by the Directorate General and communicated to the Registry of civil status at the place where the deprived person was registered.
Article 21: Effects of deprivation to children and spouse
The deprivation of Rwandan nationality referred to in Article 19 of this Organic Law cannot have adverse effects on the deprived person’s spouse and children if they subsequently acquired it, except with regard to the contents of point 1° of the Paragraph 2 of the above Article.

Title 6. RECOVERY OF RWANDAN NATIONALITY

Article 22: Recovery of nationality of origin
Rwandan or his or her descendant who was deprived of his or her Rwandan nationality between November 1, 1959 and December 31, 1994 due to acquisition of foreign nationality shall upon their returning home re-acquire their Rwandan nationality of origin without applying for that matter.

However, person referred to in paragraph 1 of this Article wishing to stay in foreign countries shall recover the Rwandan nationality accordance with the laws governing the registration of the Rwandans.

Any person with Rwandan origin and his or her descendant shall have the right to acquire the Rwandan nationality upon request thereof to the Director General in accordance with a Presidential Order.

Article 23: Conditions relating to recovery of acquired nationality
Recovery of acquired Rwandan nationality is applied for to and granted by the Director General. The applicant for the recovery of Rwandan nationality shall provide proof of his/her earlier status as Rwandan, the reasons why he/she had lost it and why he/she wants to recover it. The relevant procedures shall be provided for by a Presidential Order.

Article 24: Prohibition to recover nationality
No person shall recover Rwandan nationality if:

1° he/she was deprived of Rwandan nationality in accordance with the provisions of Article 19 of this Organic Law;

2° he/she is a security threat whom it had been decided to expel from the country or with regard to whom a decision was taken for his/her own security.

Title 7. PROOF OF NATIONALITY

Article 25: Proof of nationality of origin
The proof of Rwandan nationality of origin shall be the birth certificate. Such a birth certificate may be disregarded if there is any new contradictory information regarding its accuracy.
Proof of one’s acquisition of Rwandan nationality shall be the legal deed which led to its acquisition.

Proof of one’s deprivation of Rwandan nationality shall be the legal deed which led to its deprivation.

**Article 26: Authorities responsible for granting of the proof and certificate of nationality**
The Registrar of civil status shall be responsible for issuing proof of Rwandan nationality by origin upon the request of the applicant.

The Director General shall be the one to grant the certificate of acquired nationality.

**Article 27: Doubt on nationality**
The burden of proof of Rwandan nationality shall rest with the person whose nationality is contested. However, this burden shall rest with the contesting person who is doubtful of an individual who holds a Rwandan identity card, a Rwandan passport or a Rwandan citizenship certificate.

**Article 28: Proof of nationality**
A Rwandan identity card, a Rwandan passport, or a Rwandan citizenship certificate shall be considered as proof of Rwandan nationality. **However, in case of doubt, any other means may be used to prove the truth, using particulars entered in the Register of civil status or available at the Directorate General.**

**Title 8. NATIONALITY CLAIMS**

**Article 29: Claims relating to nationality**
Contentious matters on nationality, either in isolation or arising from appeals against administrative decisions, shall be submitted to competent courts.

Arguments against a party based on nationality or foreign nationality are public matters which the court shall examine even if the parties do not invoke them.

Such arguments based on nationality shall be examined before the case, which may lead to the adjournment of the case related to the subject matter.

**Article 30: Organs in charge of cases relating to nationality**
Legal proceedings related to nationality matters shall be initiated by summoning the accused party. Anybody wishing to confirm that he holds or does not hold Rwandan nationality shall sue the Government represented by the Attorney General as the only competent authority to defend such an action without prejudice to the right of intervention from any interested third parties to be entitled to have a say in such a case or to be summoned.

**Article 31: Proceedings relating to nationality**
The Attorney General shall be the competent authority to initiate legal proceedings to demonstrate whether one holds Rwandan nationality or not. Interested third parties may also be allowed to intervene in these matters based on such action.

The Attorney General shall act on his/her own initiative or upon request by public administration or any other person who presided over the proceedings of the nationality case before any court of law that adjourned the proceedings.

The Attorney General shall be summoned even if the case of nationality is not principal and the court must listen to the submissions of the Attorney General.

Article 32: Attempting to have a nationality
A foreigner who pretends to be Rwandan as well as a Rwandan who has testified falsely that a foreigner is Rwandan shall be punished by the Rwandan law.

Title 9. SETTLEMENT OF DISPUTES RELATING TO DUAL NATIONALITY

Article 33: Disputes relating to dual nationality
For persons holding more than one nationality, including that of Rwanda, only the latter shall be considered in cases involving compliance with Rwandan laws.

In case there is a problem of knowing the nationality that should be considered for a person with more than one nationality, the nationality of the country the person with many nationalities resides in shall be the one to be considered. In other cases, consideration shall be given to the nationality of the country with which he or she has the closest relationship.

Title 10. MISCELLANEOUS AND FINAL PROVISIONS

Article 34: Fees relating to application and acquisition of Rwandan nationality
Fees to be paid by a foreigner or a stateless person on application for and upon being granted Rwandan nationality shall be determined by Presidential Order.

Article 35: Oath, certificate and publication
Upon being granted Rwandan nationality, a foreigner or a stateless person who has acquired Rwandan nationality shall take an oath as follows:

«I………………………………, do solemnly swear that I will be faithful and bear true allegiance to the Republic of Rwanda and that I will pay respect to the Constitution of the Republic of Rwanda and other laws. So help me God.»
Once a person has been issued with a certificate of nationality, he or she shall be published in the Official Gazette of the Republic of Rwanda. The competent organ to administer oath, certificate of nationality format and relevant modalities shall be provided for by a Presidential Order.

**Article 36: Registration due to the acquisition of nationality**
Any foreigner who has been granted Rwandan nationality shall be registered as a Rwandan in the Registry of civil status in the area where he/she resides or in the Rwandan Embassy/Consulate depending on where he/she lives.

**Article 37: Declaration of dual nationality**
Any Rwandan with dual nationality shall be required to declare it before the Directorate General or, when living abroad, to the Rwandan Embassy or Consulate when he or she is not in Rwanda, within a period not exceeding three (3) months from the period when he/she acquired another nationality.

Any declaration made before the Ambassador or Consulate representing Rwanda shall be forwarded to the Directorate General within one month from the date of the declaration.

**Article 38: Validity of marriage contracted abroad**
Notwithstanding provisions of Article 11 of this Organic Law, marriage that was contracted abroad shall be valid if it was legally concluded in the country it has been celebrated and it respects the provisions of the Constitution of the Republic of Rwanda. Such marriage shall be registered in the Rwandan Registry of civil status. All the preceding years for this marriage shall be taken into account.

**Article 39: Abrogating provisions**
The Organic Law no 29/2004 of 03/12/2004 on Rwandan nationality and all prior legal provisions contrary to this Organic Law are hereby repealed.

**Article 40: Commencement**
This Organic Law shall come into force on the date of its publication in the Official Gazette of the Republic of Rwanda.

Kigali, on 25/07/2008